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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,720	03/23/2001	Yusuke Kinoshita	205006US2	5624
22850	7590	07/18/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			RYMAN, DANIEL J	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/814,720	Applicant(s) KINOSHITA ET AL.	
	Examiner Daniel J. Ryman	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 2-6 and 9-10 is/are rejected.
- 7) ☒ Claim(s) 2, 8 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/10, 3/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Examiner acknowledges Applicant's filing of an RCE on 5/24/2006.
2. While Applicant's amendments have overcome the prior art rejections, as outlined in the indication of allowability for claim 8, the amendments to claims 2-6, 9 and 10 have resulted in the rejection of these claims under 35 USC § 112. These rejections follow.

Information Disclosure Statement

3. Applicant has requested that the reference AW cited in the IDS filed November 30, 2005 be acknowledged as having been considered. Examiner submits that this reference has already been acknowledged in an IDS attached to the Advisory Action, mailed 18 April 2006. In order to avoid any confusion, Examiner is resending this IDS with the current Office Action.

Claim Objections

4. Claim 2 is objected to because of the following informalities: in line 6, "a second network" should be "the second network". Appropriate correction is required.
5. Claim 8 is objected to because of the following informalities: in line 2, "node in a first" should be "node located in a first" since it is currently unclear whether "in a first network" modifies the receiving, i.e. "receiving a packet in a first network," or the first node, i.e. "a first node located in a first network"; in line 3, "network including" should be "network, the first network including" since it is currently unclear whether "including a first address changing means" modifies the first node or the first network; in line 3, "means;" should be "means, where the first address changing means receives the packet;" since it is currently unclear what device receive the packet; in line 7, "sending said" should be "sending by the first address changing

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means said” in order to clarify which device sends the packet; in line 8, “said first and a second networks” should be “said first network and a second network”; in line 10, “receiving a packet” should be “receiving by the first address changing means a packet” to clarify which device receives the packet; in line 15, “said global address” should be “said first global address” since the claim recites two global addresses, namely the first and second global addresses; in line 17, “sending said” should be “sending by the first address changing means” in order to clarify which device performs the sending; and in line 17, the first instance of “said packet” should be “said packet received from said second node” since there are multiple packets recited in the claim. Appropriate correction is required.

6. Claim 9 is objected to because of the following informalities: in line 2, “including” should be “includes”; in line 2, “the second” should be “a second”; in line 5, “a second” should be “the second”; in line 6, “said first” should be “a first”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 2-6, 9, and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

9. As currently amended, claim 2 requires that a node located in a second network (line 2: “the node received at a second network”) send a packet to a first address changing means in a first network (lines 4-5: “the first address changing means receiving a packet from said node”) where the first address changing means translates the packet’s address and then transmits the packet to the second network (lines 5-7: “changing said private sender address of the packet to a global address for outputting the packet into a second network”). Thus, the claim currently requires that a node in the second network send a packet to an address translation means in the first network where the address translation means translates a private address in the packet to a public address such that the packet can be transmitted over the second network, which is the same network the node currently resides upon. The Specification, on the other hand, discloses that a node in a private network sends a packet to an address translation means in the private network where the address translation means translates a private address in the packet to a public address such that the packet can be transmitted over the public network (Figs. 6, 7 and Specification, pp. 15-16). Applicant appears to be attempting to claim that a private node, located in a first private network (i.e. home network), transmits packets through a NAT to a public node in the public network. Later, the private node moves to a second network (i.e. foreign network), where it continues its communication with the public node. Applicant should amend the claims to reflect these limitations. Appropriate correction is required.

10. As currently amended, claim 9 requires that a node located in a second network (lines 2-3: “the node received at the second network) send a packet to a first address changing means (lines 3-4: “a first address changing means for receiving a packet from said node”) where the first address changing means translates the packet’s address and then transmits the packet to the

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second network (lines 4-6: "changing said private sender address of the packet to a global address for outputting the packet into a second network"). Presumably the node utilizes private addressing and the second network utilizes public address since the address of the packet is changed to the public address from the private address when the packet is sent to the second network (claim 9, lines 4-6). Thus, the claim currently requires that a node, using private addressing and located in the second network, send a packet to an address translation means where the address translation means translates the private address in the packet to a public address such that the packet can be transmitted over the second network. Simply, the claim requires that a node in the second network transmit a packet to an address translation means for translation of a private address to a public address such that the packet can be transmitted over the second network, which is the same network the node currently resides upon. The Specification, on the other hand, discloses that a node in a private network sends a packet to an address translation means in the private network where the address translation means translates a private address in the packet to a public address such that the packet can be transmitted over the public network (Figs. 6, 7 and Specification, pp. 15-16). Applicant appears to be attempting to claim that a private node, located in a first private network (i.e. home network), transmits packets through a NAT to a public node in the public network. Later, the private node moves to a second network (i.e. foreign network), where it continues its communication with the public node. Applicant should amend the claims to reflect these limitations. Appropriate correction is required.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 2-6, 9, and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. Claims 2 and 9 require that after translation the packet is outputted “into a second network being different from said first network (see claim 2, lines 5-7, and claim 9, lines 4-6). In addition, claims 2 and 9 require that after translation the packet is sent to “a third network which is different than the first and second networks” (see claim 2, lines 17-18, and claim 9, lines 16-18). Therefore, it is unclear whether the packet is transmitted to the second or third networks after address translation has completed. Applicant should clarify to which network the packet is transmitted by the address changing means.

Allowable Subject Matter

14. Claim 8 is allowed. The prior art does not disclose or fairly suggest having the first address changing means notify the second address changing means and the second address changing means notify the first address changing means of an address translation information. Rather, the prior art discloses only that either the first address changing means notifies the second address changing means or the second address changing means notifies the first address changing means of the address translation information (see Inoue et al. (USPN 6,442,616), of record: col. 14, lines 8-25, where if the HA manages the addresses then the HA “update[s] all the address information provided in the entire network system by the latest information contain the obtained M-addr” (case 1) or if the FA manages the addresses then the FA “update[s] all the address information provided in the entire network system by the latest information contain the obtained M-addr” (case 3)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Ryman whose telephone number is (571)272-3152. The examiner can normally be reached on Mon.-Fri. 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel J Ryman
Examiner
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Daniel J Ryman